

Notice of Allowability	Application No.	Applicant(s)	
	10/715,601	ARAKAWA ET AL.	
	Examiner	Art Unit	
	James W. Cranson	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/14/2002.
2. ☒ The allowed claim(s) is/are 1-9, 11, 13 and 15.
3. ☒ The drawings filed on 14 June 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Arguments and Amendments

Applicant's arguments, see amendment, filed 6/14/2005, with respect to office action mailed 3/18/2005 have been fully considered and are persuasive. The rejection of claims 1,2,7,11 and 12 under 35 USC 103(a) as being unpatentable over USPN 6,793,384 to Ban et al has been withdrawn, the rejection of claims 3,4 and 14 under 35 USC 102(b) as being anticipated by USPN 5,707,130 to Zwick has been withdrawn, the rejection of claims 9 and 10 under 35 USC 102(a) as being anticipated by USPN 6,793,384 to Ban et al. has been withdrawn, and the rejection of claim 13 under 35 USC 103(a) as being unpatentable over Ban in view of Zwick has been withdrawn.

Applicant canceled claims 10, 12 and 14 without prejudice or disclaimer.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Regarding claims 1,2,7,11 and 12:

Applicant traverses examiner's position that a V- shaped row is obvious and merely a change in shape or form that lacks critically. Applicant argues that utilizing a V-shaped row increases the effective area of the emitted light, thereby providing a wide area to the stop lamp and providing a high degree of visibility and that for the above reasons claim 1 is patentable over Ban.

The combination of limitations in claim 1 is not found or taught in the art of record.

Claims 2, 7 and 8 depend from claim 1 and further limit claim 1 and are allowable for same reasons that make claim 1 allowable.

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Regarding claims 3 and 4:

Claim 3 is amended to recite a motorcycle rather than a vehicle and is further amended to recite a bulb mounted on the reflector. Zwick does not disclose a tail light for a motorcycle or a position lamp that comprises a bulb mounted on a reflector.

The limitations in amended claim 3 are not found or taught in the art of record.

Claim 4 depends from claim 3, further limits claim 3 and is allowable for the same reasons as claim 3.

Regarding claims 9 and 13:

Claim 9 is amended to recite language previously recited in claims 10,11 and 12.

The rows of LEDs 51 of the brake lamp 28 of Ban are vertically arranged whereas applicant has brake lamp LEDs so that they are forwardly displaced from the upper portion to lower portion.

This combination of limitations is not found or taught in the art of record.

Claim 13 depends from claim 9, further limits claim 9 and is allowable for the same reasons.

Claims 5, 6, 8 and 15 were indicated as allowable in the office action mailed 3/18/2005.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




Thomas Sember
Primary Examiner
Art Unit 2875